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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,756	01/14/2000	Wei Tian	1918JB	8796

7590 05/14/2004

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EXAMINER

NGUYEN, DUC MINH

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 05/14/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/483,756

Applicant(s)

TIAN ET AL

Examiner

Duc Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 7-8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. On pages 8-9 of the amendment, applicant states that in figures 3 and 4, nodes A and B form the inputs of stage 1, and nodes C and D are both the outputs of stage 1 and the inputs of stage 2. Nodes E and F are both the outputs of stage 2 and the inputs of stage 3, and nodes G and H are the outputs of stage 3. Applicant further states **"the first and second outputs of the second stage form the first and second inputs of the first stage, respectively."** However, as mentioned by the applicant earlier, **nodes C and D are both the outputs of stage 1 and the inputs of stage 2. In other words, the outputs of the first stage form the inputs of the second stage or the inputs of the second stage form the outputs of the first stage [emphasis added].** Therefore, **the first and second outputs of the second stage CANNOT form the first and second inputs of the first stage, respectively.**

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 7-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. On pages 8-9 of the amendment, applicant states that in figures 3 and 4, nodes A and B form the inputs of stage 1, and nodes C and D are both the outputs of stage 1 and the inputs of stage 2. Nodes E and F are both the outputs of stage 2 and the inputs of stage 3, and nodes G and H are the outputs of stage 3. Applicant further states **"the first and second outputs of the second stage form the first and second inputs of the first stage, respectively."**

However, as mentioned by the applicant earlier, **nodes C and D are both the outputs of stage 1 and the inputs of stage 2. In other words, the outputs of the first stage form the inputs of the second stage or the inputs of the second stage form the outputs of the first stage [emphasis added].** Therefore, **the first and second outputs of the second stage CANNOT form the first and second inputs of the first stage, respectively.**

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C.

122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-6, 9-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Bella (6,137,880).

Consider claims 1, 6, 13. Bella illustrates in fig. 6 a frequency sensitive electrical circuit (370), comprising first and second inputs; at least one transformer circuit (L11 or L12 or L13) having a first winding connected to the first input and a second winding connected to the second input; a first load (374) connected in parallel to the first winding (L12); a second load (376) connected in parallel to the second winding (L12); first and second outputs connected to the first and second windings; and a (first) capacitor (C24) connected between the first and second outputs.

Consider claims 2, 9, 14. Bella further teaches a signal carrying both voice and data information is received at the first and second inputs (see the abstract; col. 1, ln. 19-35).

Consider claims 3, 10, 15. Bella further teaches the circuit filters a lower frequency portion of a signal received at the first and second inputs (i.e., can be used as low pass filters; col. 10, ln. 13-16).

Consider claims 4, 11, 16. Bella further teaches the circuit reduces the distortion of a signal received at the first and second inputs and delivered at the first and second outputs (col. 9, ln. 48-67).

Consider claims 5, 12, 17. C22 provides third output and C23 provides the fourth output. C22 connected to the input of stage 1 (L12) via R24. C23 connected to the input of stage 1 (L12) via R23.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bella (6,137,880) in view of Ham (6,567,519).

Consider claim 7. Bella further teaches a first stage comprising first and second inputs; at least one transformer circuit (L11 or L12 or L13) having a first winding connected to the first input and a second winding connected to the second input; a first load (374) connected in parallel to the first winding (L12); a second load (376) connected in parallel to the second winding (L12); first and second outputs connected to the first and second windings; and a capacitor (C24) connected between the first and second outputs. Bella further teaches a second stage (L13) comprising third and fourth inductors (L13), wherein the outputs of the second stage are operatively connected to the first and second inputs of the first stage (i.e., through R24-R25, C22, C28 and R22-23, C23, C27). Bella does not teach a fourth capacitor connected between the first and second outputs of the second stage.

Ham teaches capacitor (194) connected between the first and second outputs of the first stage (64) and capacitor (202) connected between the first and second outputs of the second stage (66, see fig. 3).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Ham into the teachings of Bella in order to reduced or eliminated substantially the disadvantages and problems associated with the processing of an input signal communicated on a telephone line.

Consider claim 8. Bella further teaches a first stage comprising first and second inputs; at least one transformer circuit (L11 or L12 or L13) having a first winding connected to the first input and a second winding connected to the second input; a first load (374) connected in parallel to the first winding (L12); a second load (376) connected in parallel to the second winding (L12); first and second outputs connected to the first and second windings; and a capacitor (C24) connected between the first and second outputs. Bella further teaches a second stage (L13) comprising third and fourth inductors (L13), wherein the outputs of the second stage are operatively connected to the first and second inputs of the first stage (i.e., through R24-R25, C22, C28 and R22-23, C23, C27). Ham further teaches capacitor (194) connected between the first and second outputs of the first stage (64) and capacitor (202) connected between the first and second outputs of the second stage (66, see fig. 3).

Response to Arguments

5. Applicant's arguments with respect to claim1-17 have been considered but are moot in view of the new ground(s) of rejection.

6. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out

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how the language of the claims (not the drawings or specification) patentably distinguishes them from the references [emphasis added].

7. Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the **claims (not the drawings or specification) present in view of the state of the art disclosed by the references cited or the objections made**. Further, they do not show how the amendments avoid such references or objections [emphasis added].

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

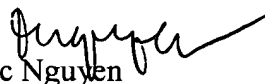
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is 703-308-7527. The examiner can normally be reached on 6:00AM-2:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Duc Nguyen
Primary Examiner
Art Unit 2643

5/4/04